

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF TENNESSEE**

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**CARLA P. CRAWFORD**

**Plaintiff,**

**v.**

**Case No.: 2:19-cv-2841  
JURY DEMANDED**

**WAWONA PACKING COMPANY, LLC**

**Defendant.**

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**NOTICE OF REMOVAL OF CIVIL ACTION**

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TO: Eric J. Lewellyn  
**Reaves Law Firm, PLLC**  
Attorney for Plaintiff  
1991 Corporate Avenue  
Suite 310  
Memphis, TN 38132

The removing Defendant Wawona Packing Company, LLC, pursuant to 28 U.S.C. § 1332, 1441, and 1446(d), by and through its counsel of record, Glassman, Wyatt, Tuttle & Cox, P.C., files this Notice of Removal of the above civil action from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, Western Division, and as basis for said removal would show as follows:

1. Removing Defendant, Wawona Packing Company, LLC, is named Defendant in the above entitled action.

2. This matter was originally filed in Division V of the Circuit Court of Shelby County, Tennessee, on July 5, 2019 under Docket No. CT-2979-19. A copy of the original Complaint filed in the Circuit Court of Shelby County, Tennessee, along with the Summons is

attached to this Notice of Removal as “Exhibit A.”

3. On or about November 14, 2019, the Defendant, Wawona Packing Company, LLC received the Summons and a copy of the Complaint via Secretary of State. Thus, removal of this action is timely filed. *See* 28 U.S.C. § 1446(b).

4. The amount in controversy, exclusive of interest and costs, allegedly exceeds the sum of \$75,000.00.

5. Plaintiff is presently, and was at the time the Complaint was filed, a resident citizen of Shelby County, Tennessee.

6. The Defendant, Wawona Packing Company, LLC, was, at the time the Complaint was filed, a California corporation doing business in Memphis, Shelby County, Tennessee and receives service of process through the Division of Business Services, Department of State, Secretary of State, 312 Rosa L. Parks AVE, 6<sup>th</sup> Floor, Nashville, TN 37243-1102 with corporate headquarters located at 12133 Avenue 408, Cutler, California 93615.

7. This action is a civil action for personal injury and damages, as a result of product(s) bought and consumed by the Plaintiff at some point between June 27, 2014 and July 8, 2014.

8. The Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1332(a)(1) and (c) as the amount in controversy allegedly exceeds the sum of \$75,000.00 exclusive of interest and costs.

9. This Notice of Removal is being filed with this Court within thirty (30) days of service on the removing Defendant, Wawona Packing Company, LLC.

10. Because complete diversity existed between Plaintiff and Defendant at the time Plaintiff commenced this action in State Court and exists as of the time of the filing of this Notice of Removal and the matter in controversy exceeds the sun of \$75,000.00, exclusive of interest and

costs, this Court has original jurisdiction over this action as defined in 28 U.S.C. § 1332 (a)(1).

11. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Notice will be given to all parties and a true and correct copy of this Notice will be filed with the Circuit Court Clerk of Shelby County, Tennessee, thereby effectuating removal of this action to this Court.

**WHEREFORE**, Wawona Packing Company, LLC requests that the above-styled action be removed from Division V of the Circuit Court of Shelby County, Tennessee to the United States District Court for the Western District of Tennessee, Western Division.

Respectfully submitted,  
Glassman, Edwards, Wade & Wyatt, P.C.

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Our File No. 18-448  
*Attorney for Defendant*

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing has been served upon the following via U.S. Mail, postage prepaid, and/or via Email to:

Eric J. Lewellyn  
Attorney for Plaintiff  
1991 Corporate Avenue, Suite 310  
Memphis, TN 38132

On this 9<sup>th</sup> day of December, 2019

Robert A. Cox  
Robert A. Cox, Esquire